

1 IN THE U.S. BANKRUPTCY COURT
2
3 NORTHERN DISTRICT OF OHIO
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7 In Re: Grant Thomas Wilcox
8

Bankruptcy Case: 20-51998-amk

9 Grant T. Wilcox,
10 9858 Green Dr
11 Windham, OH 44288

Debtor/Plaintiff

Adv. Pro. No. 21-5001

12 Vs.

Honorable Alan M. Koschik

13 Sara N. Wilcox
14 9268 Mulberry Road SE
15 Mount Perry, OH 43760

Creditor/Defendant

DEBTORS/PLAINTIFF'S REPLY IN
SUPPORT FOR MOTION FOR
PROTECTION ORDER

16 Vs.

17 Herbert Baker
18 301 Main Street
19 Zanesville, OH 43701

20 Creditor/Defendant
21
22

23
24 Now comes the Debtor/Plaintiff, Pro Se and response to the Creditors
25 Response filed on February 2nd, 2021. Creditors assertions that the arrest
26 warrant is a matter between the Debtor and the Domestic Relations is an
27 attempt Creditors to avoid their affirmative duty to halt any civil
28 proceeding. Creditors were the ones who asked the Domestic Relations

DEBTORS/PLAINTIFF'S REPLY IN SUPPORT FOR MOTION FOR PROTECTION ORDER - 1

1 Court (who was caught engaging in business with one of the creditors
2 and subsequently recused themselves after the finding of civil contempt)
3 to imprison the Debtor in the first place. For Creditors sit back now and
4 watch the Debtor suffer from their actions this Court should outraged by.
5
6

7 As for the remaining issues with the Civil Contempt
8 proceedings they are civil contempt purge conditions which require
9 retaining an attorney. Or in other words extort the Debtor to spending
10 money for an attorney for the drafting and execution of a Power of
11 Attorney and QDRO. In regards to the QDRO, the Domestic Relations
12 Court did direct the Debtor to pay Creditor Herb Baker to execute on the
13 Debtors behalf.
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18 As for the allegation that the claims of the Debtor-Plaintiff are
19 baseless, such a notion is utterly absurd. Not only is it absurd, but it is
20 completely contradicted by Creditor-Defendants' own exhibits. Case-in-
21 point, Exhibit A. Of the Creditor-Defendants' Response in Opposition to
22 Debtor-Plaintiff's Motion for Restraining Order, the Windham Police
23 Officer clearly states, "[t]he vehicle registration check returned with
24 the registered owner, Grant Wilcox, having a warrant out of Licking
25
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1 **County (within radius)."** Simply put, Counsel for the Creditor-
2
3 Defendants is purposely misrepresenting their own exhibits to this Court.

4 Additionally, the assertion that the warrant is between the
5
6 Domestic Relations Court and the Debtor has no merit. The Creditors
7
8 have the responsibility to ensure that the warrant isn't enforced. "It is
9
10 incumbent upon creditors to take the necessary steps to halt or reverse
11
12 any pending State Court actions or other collection **efforts commenced**
13
14 **prior to the filing of a bankruptcy petition**, including garnishment of
15
16 wages, repossession of automobile, foreclosure of a mortgage or a
17
18 judgment lien and, **thereby, maintain, or restore, the status quo as it**
19
20 **existed at the time of the filing of the bankruptcy petition.** In re Webb
21
22 , 472 B.R. 665 (6th Cir. BAP 2012),(quoting In re Banks , 253 B.R. 25,
23
24 30 (Bankr. E.D. Mich. 2000))

25 The Creditors actions have been blatantly willful in violating
26
27 the automatic stay numerous times. The Debtor has requested that they
28
29 rescind the civil arrest warrant and the continue to fail to live up to their
30
31 affirmative duty to stay the domestic relations civil contempt
32
33 proceedings. "The creditor sets in motion the process. The creditor is
34
35 very much in the driver's seat and very much controls what is done

1 thereafter if he chooses. **If the continuation [of a pending collection**
2 **action] is to be stayed, [the creditor] cannot choose to do nothing and**
3 **pass the buck to the debtor.”** Fleet Mortg. Group, Inc. v. Kaneb, 196
4 F.3d 265, 269 (1st Cir.1999)
5
6

7 If this matter was a truly a criminal contempt the Debtor would
8 simply do his 30 days and the Creditors be FOREVER barred from
9 attempting to collect on the Debt due to his Constitutional Safeguards of
10 Double Jeopardy.
11
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13 For the reasons stated above the Debtor respectfully requests
14 that this Court enter a Restraining Order directing the Creditors to take
15 actions with the Domestic Relations Court.
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18

19 Respectfully Submitted,

20 /s/ Grant T. Wilcox

21 Grant T. Wilcox

22 Debtor, Pro Se

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/s/ Grant T. Wilcox
Grant T. Wilcox